



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

James L. Lalonde

PATENT APPLICATION

Serial No. 09/928,810

Group Art Unit: 1651

Filed: August 13, 2001

Examiner: Irene Marx

For: SYNTHESIS OF 2-OXOGLUTAR-
AMATE FROM L-GLUTAMINE

Attorney Docket No.: 1690A1

AMENDMENT UNDER 37 CFR 1.116

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Communication dated August 18, 2003 from the Examiner in charge of the above-captioned application, the following amendments and remarks are respectfully submitted for consideration. Reconsideration of the rejections under 35 U.S.C 112, and 103(a) are respectfully requested in view of the aforesaid amendments and remarks.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage to insure first class mail in an envelope addressed to:

Mr. Mark P. Applegate, Assistant Commissioner
Alexandria, VA 22313-1450

Respectfully,
William M. Kennedy
William M. Kennedy


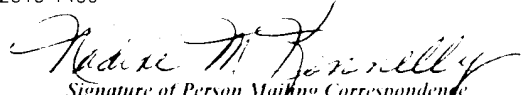
Claims in the case upon entry of this amendment will be 1-3, 5-11, 13-16, 18, 20-27, 29, 31 and 33-44.

Claims 4, 12, 17, 19, 28, 30, and 32 have been cancelled without prejudice. Claims 4 and 12 have been combined and re-presented as independent new claim 41. Claims 17 and 19 have been combined and re-presented as independent new claim 42. Claims 28 and 30 have been combined and re-presented as independent new claim 43; and claim 32 has been re-presented as independent new claim 44. No new matter is involved in these newly presented independent claims since they are based entirely on the indicated cancelled claims.

The rejection of August 18, 2003 states that claims 4, 12, 17, 19, 28, 29 and 32 would be allowable upon resolution of all 35 U.S.C. § 112 issues. It is submitted that such issues have been resolved by the amendments made herein and that claims 41-44, which have been substituted for such claims, are now allowable. Reconsideration and allowance of claims 41-44 are respectfully requested.

Claims 16, 18, 20-27 and 29 remain withdrawn from further consideration by the Examiner as being directed to a non-elected invention (see page 3 of the August 18, 2003 communication). Newly presented claims 42 and 43, which are within the purview of the non-elected claims, are now considered to be allowable based on the Examiners comment on page 4 of the August 18, 2003 communication, as iterated above. It is submitted that claims 16, 18, 20-27 and 29 should also be considered on the merits. Reconsideration is respectfully requested.

Claims otherwise stated to have been considered on the merits are 1-3, 5-11, 13-15, 31, 33-44.

AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No. 1690A1	
Applicant(s): James L. Lalonde					
Serial No. 09/928,810	Filing Date August 13, 2001	Examiner Irene Marx		Group Art Unit 1651	
Invention: SYNTHESIS OF 2-OXOGLUTARAMATE FROM L-GLUTAMINE					
<u>TO THE COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	37 -	40 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	9 -	5 =	4 x	\$84.00	\$336.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$336.00
<input type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. 16-2025 in the amount of <input type="checkbox"/> A check in the amount of \$336.00 to cover the filing fee is enclosed. <input type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <input type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
 Linda Pingitore Registration No. 30,414 Attorney For Applicant PPG Industries, Inc. Intellectual Property One PPG Place Pittsburgh, PA 15272 PH: (412) 434-3704 CC: FX: (412) 434-4292			Dated: September 10, 2003 <div style="border: 1px solid black; padding: 5px;"> I certify that this document and fee is being deposited on 09/10/03 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450  Signature of Person Mailing Correspondence Nadine M. Kennelly Typed or Printed Name of Person Mailing Correspondence </div>		

